

## **Remarks**

### **Request for Continued Examination**

Applicants note that this Response accompanies a Request for Continued Examination (RCE) in the present application.

### **Petition for Unintentionally Delayed Domestic Claim of Benefit to Earlier Filing Date Under 37 CFR 1.78(a)(3)**

A petition for late claim of priority to U.S. Patent No. 6,469,104 to Colvin et al. (Colvin '104) has been filed concurrently with the RCE in the present case.

### **Rejections Under 35 U.S.C. §103(a)**

Assuming that the accompanying petition for late claim of priority to Colvin '104 is granted, Applicants urge that EP 0 942 042 is not prior art against the current claims and that the current rejections therefore be withdrawn.

Applicants note that the outstanding rejections under 35 U.S.C. §103 (a) are over EP 0 942 042, the EPO equivalent of Colvin '104. Assuming the petition for late claim of priority is granted, the effective filing date of the present application is then March 9, 1999, which is prior to the March 10, 1999 filing date of EP 0 942 042. Applicants urge that in the event the petition is granted, EP 0 942 042 is not prior art against the current claims and, therefore, urge that the rejections be withdrawn.

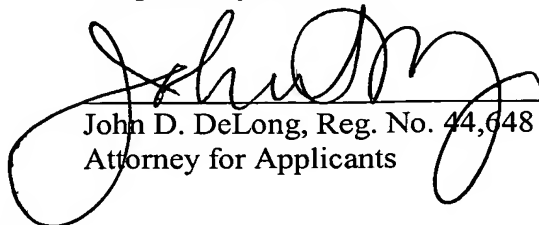
### **Entry of Previous Amendment**

Applicants hereby request that the Response After Final Rejection mailed March 1, 2004 be entered.

**Conclusion**

Applicants urge that for all of the foregoing reasons, the claims are fully patentable over the cited references, and respectfully request allowance of the claims.

Respectfully submitted,



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